

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

RANDALL EPLION,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-0978

SR. TRP. A. T. FARMER;  
WESTERN REGIONAL JAIL;  
ELBERT DAVIS (Inmate),

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny Plaintiff's Application to Proceed *in forma pauperis*, as moot; dismiss the complaint; and remove this matter from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** Plaintiff's Application to Proceed *in forma pauperis*, **as moot**; **DISMISSES** the complaint; and **MOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: August 27, 2018

  
ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE